

EXHIBIT SS

The Honorable Richard M. Berman
United States District Judge for the
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Judge Berman:

I am Daniel Devine, Federal Senior Executive Service, Department of Veterans Affairs. Employed by VA since 2002. Previous to being at VA, I was employed by the Employee Benefit Research Institute and The House Veterans Affairs Committee before that. I came on to the Subcommittee that Steve led as Chair in 1995 working Veterans Benefits for him as a Professional Staff Member.

I am aware that Steve has been convicted and wish to offer some experiences and thoughts from my perch. Having done this work for some 33 years, I like to think I have a feel for how leaders in the Military / Veterans environment operate and whether it is in good faith. Steve had a focus on veterans and their spouses, and one of the better positions he successfully championed was allowing Military spouses to retain a GS rating following their Service Member from station to station. This allowed the spouse to accrue and retain seniority and genuinely develop a career in government service that was previously denied.

With a focus on active duty members, Steve moved to support career and non-career troops by pushing his colleagues to allow the federal TSP savings program to be used by active duty troops. It allowed non-careerists to begin building transferable retirement savings. The interesting point to this is the Pentagon Leaders did not support this move as they determined this would inhibit retention. While Steve didn't buy their line of reasoning, he thought it more important that young troops who have served have this opportunity as it was important to their lives. Steve scored no major points with the Pentagon. He garnered no additional votes. He did it because it was good for the troops.

Steve built a reputation for hard-nose political work. During a certain cycle, his opposite number was an equally hard-nosed party stalwart. We staffers expected and braced for what we thought would be major fireworks during committee hearings. Instead, Steve stepped up his game, and did everything he could to diffuse any inter-party squabbling and the two members actually worked well together, much to the surprise of many. Steve knew that if the two members couldn't work well on the matters of Benefits to Service Members, they would be the ones to suffer.

These snippets demonstrate the dedication to the good that often go unnoticed. He didn't benefit from these actions, but the beneficiaries to whom he pledged fidelity, did. And while spouse, veterans and Service Members may never have known who performed these deeds on their behalf, he was pleased to use his influence for the greater good.

Knowing about and participating in these decisions, the matters for which he was convicted struck me as inconsistent with the Steve I knew and worked with. To imprison a man following all the good works he has done for millions of Americans, seems every bit as inconsistent with my view of justice. I would ask that you consider those millions of Americans, should they have a voice in the sentencing now in your hands, would ask you to weigh the absolute ongoing good Steve has done for them and their families. Even today, I speak to veterans who took gladly advantage of the TSP. a member of my own family benefited from the opportunity to bring their GS rating from previous stations and built a fine civil service career.

Steve poses no threat to others and should remain free on bond during the appeal process. Frankly, he has lost so much in his personal and business life already, I do hope that is considered in your final evaluation.



Daniel C. Devine, SES
Executive Director
NCA Public Affairs